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PATENT.IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Serial No.: 10/822,934 )  
)  
Filed: April 13, 2004 )  
)  
For: FOODSTUFF MARKING SYSTEM )  
)  
Applicant: DROUILLARD )  
)  
Examiner: Not yet assigned )  
)  
Art Unit: Not yet assigned )  
)  
Attorney Ref: 2148/41714/1 )

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 31, 2004

Date

William E. Sexton

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313/1450

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and Form PTO-1449.

DE 3722176 is not in the English language. DE 3722176 relates to a device for producing soldered connections for work pieces, whereby the soldering positions are heated by means of radiated energy to the work temperature required for the soldering procedure. The device has a work installation with a mounting plate for the work piece and a supporting and adjusting device for an optical head that can be moved perpendicular to the mounting plate and thereby adjusted with a focal point adjustment for point-heating the workpiece. The device includes a programmable unit that controls the optical head, through which the duration of radiation and/or the intensity of the radiation as well as the position of the optical head can be adjusted with relation to the individual work piece.

DE 3836821 is not in the English language. DE 3836821 discloses flat-surfaced items (2) of foodstuff, especially dairy products, meat or sausage, provided with identifying pictures, numbers, works etc. by the localized burning effect of laser beams directed at the surface, with intensity and for durations such that evaporation from the impacted surfaces is minimized as is the heating adjacent the impacted area. The surface may be treated with a sequence of at least

partly overlapping impacts containing a continuous line or area and controlled by a scanning mask etc. Conditions may be contact to produce constant coloration, or varied to produce different degrees of fundamentally brown mounting. Impact discussions may be 0.5-20mm, and derives from a CO<sub>2</sub> laser beam, preferably with radiation in the IR range, and resulting in a browning temperature of e.g. 220 degrees C.

JP 1108940 is not in the English language. JP 1108940 discloses a device that enables easy marking of a food surface with a mark, by selectively irradiating a surface of a food having thermoplastic surface with a converged light beam, thereby causing thermal deformation of the surface. A surface of a food having thermoplastic surface is marked with a specified mark, by selectively irradiating the surface with converged light beam such as visible light, ultraviolet light, infrared light or laser light to cause thermal deformation of the surface. Preferably, the heating part is deformed by applying a mechanical mean (preferably blasting with fluid, suction with fluid or pressing with surface bonding) simultaneous to or after the heating with selective irradiation with the converged light.

JP 5146887 is not in the English language. JP5416887 discloses a device that provides the marking control method of the scanning type laser beam marker which eliminates an adjusting mechanism that improves vibration resistance and adjusts the orthogonality and parallelism in a short time. In the marking control method of the scanning type laser beam marker to perform marking by a scanning system by using a first galvanometer and a second galvanometer, the first and second galvanometers are operated, respectively to measure angles  $\alpha$  (radian) and  $B$  formed between a marked straight line and an X axis which is a reference line of a positioning mechanism of a work and convert these into the position at an orthogonal coordinate system under a specified condition. The minute variations of a marking shape in the mobile axial direction of the first galvanometer and the second galvanometer are then calculated from an initial position coordinate value and a final position coordinate value of marking which are synchronized with a laser beam pulse. A coordinate value obtained by adding the calculated minute variations to the initial position coordinate value is given to the first galvanometer and the second galvanometer in order, the sequence of points produced by the laser beam pulse is overlapped and marking is performed.

JP 2-60552; JP 1-196259 and JP 58-90982 are not in the English language, however, enclosed with this Information Disclosure Statement are English translations of the claims to specify the relevance thereof.

FR 2654662 is not in the English language. FR 2654662 discloses green beans (12) which are moved along on a conveyor (10) partially immersed in water or brine in several parallel lanes at a speed of about 1 meter per second. A light source (30) directs a fine beam (possibly laser) down on to the array of beans passing below scanning them at high speed. Reflected and back scattered light falls upon photodetectors (31), the variation in luminous intensity indicating the profile of the beans. This information is passed to a microprocessor which is programmed to decide where the beans should be cut to remove the ends or unwanted portions. A laser generator (20) produces by conventional means several vertical laser beams (18) spaced across the conveyor, each beam being associated with a particular photodetector. Focusing means (24) controlled by a control unit (26) under the direction of the microprocessor move the laser beams transversely along a modified sinusoidal path to cut the beans at the predetermined point. Where damaged or spoilt beans are detected, these are cut up into small pieces of a length not exceeding 40mm. These pieces are removed with the cut ends by mechanical sieving or fluid separation.

ES 2033185 is not in the English language. ES 2033185 discloses a process to apply labels to fruits and vegetables during ripening. The labels are placed in an area of the fruits and vegetables where it does not limit the maturity. The opaque color of the labels block the sun light to the surface of fruits and vegetables.

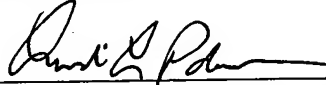
This Information Disclosure Statement is being filed before the receipt of the first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 C.F.R. §1.97, the presentation of this information shall not be construed as a representation that no other material information as defined in 37 C.F.R. §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56.

Should the Examiner believe a fee is required, the United States Patent and Trademark Office is hereby authorized and requested to charge the fee to the deposit account of the undersigned firm, Account No. 20-1495.

Respectfully submitted,

Dated: August 31, 2004

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|  |  |   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|--|--|---|---|---------------------------------------|---|---------------------------|---|------|-----------------|-------------------|--------------|----------------------------------|
| Form PTO-1449<br>(Rev. 2-83)   |  | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE  |   | ATTY. DOCKET NO.<br>2148/41714 Case 1 |   | SERIAL NO.: 10/822,934    |   |      |                 |                   |              |                                  |
| <b>INFORMATION DISCLOSURE STATEMENT<br/>BY APPLICANT</b><br><br>(Use several sheets if necessary)  |  |   |   | APPLICANT DROUILLARD                  |   |                           |   |      |                 |                   |              |                                  |
|  |  |   |   | FILING DATE<br>April 13, 2004         |   | GROUP<br>Not yet assigned |   |      |                 |                   |              |                                  |
| <b>U.S. PATENT DOCUMENTS</b>   |  |   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
| EXAMINER<br>INITIAL  |  | DOCUMENT NUMBER   |   |                                       |   |                           |   | DATE | NAME            | CLASS             | SUB<br>Class | FILING DATE<br>IF<br>APPROPRIATE |
|  |  | 5   | 8 | 9                                     | 7 | 7                         | 9 | 7    | 04/27/99        | Drouillard et al. |              |                                  |
|  |  | 5   | 6 | 6                                     | 0 | 7                         | 4 | 7    | 08/26/97        | Drouillard et al. |              |                                  |
|  |  | 4   | 0 | 4                                     | 3 | 1                         | 0 | 5    | 08/23/77        | Cochran           |              |                                  |
|  |  | 4   | 6 | 3                                     | 6 | 0                         | 4 | 3    | 01/13/87        | Bellar            |              |                                  |
|  |  | 4   | 8 | 3                                     | 9 | 1                         | 8 | 1    | 06/13/89        | MacMurray et al.  |              |                                  |
|  |  | 5   | 0 | 2                                     | 1 | 6                         | 3 | 1    | 06/04/91        | Ravellat          |              |                                  |
|  |  | 5   | 1 | 2                                     | 0 | 9                         | 2 | 8    | 06/09/92        | Piliero           |              |                                  |
|  |  | 5   | 1 | 9                                     | 8 | 8                         | 4 | 3    | 03/30/93        | Ito et al.        |              |                                  |
|  |  | 5   | 5 | 2                                     | 6 | 1                         | 1 | 9    | 06/11/96        | Blit et al.       |              |                                  |
|  |  | 5   | 3 | 1                                     | 6 | 3                         | 9 | 7    | 05/31/94        | Robertson et al.  |              |                                  |
| <b>FOREIGN PATENT DOCUMENTS</b>  |  |   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | DOCUMENT NUMBER   |   |                                       |   |                           |   | DATE | COUNTRY         | CLASS             | SUB<br>CLASS | TRANSLATION<br>YES NO            |
|  |  | 3   | 7 | 2                                     | 2 | 1                         | 7 | 6    | 01/12/89        | Germany           |              |                                  |
|  |  | 3   | 8 | 3                                     | 6 | 8                         | 2 | 1    | 05/03/90        | Germany           |              |                                  |
|  |  | 2   | 0 | 3                                     | 3 | 1                         | 8 | 5    | 03/01/93        | Spain             |              |                                  |
|  |  | 0   | 1 | 1                                     | 0 | 8                         | 9 | 0    | 07/25/89        | Japan             |              |                                  |
|  |  | 0   | 5 | 1                                     | 4 | 6                         | 8 | 7    | 06/15/93        | Japan             |              |                                  |
|  |  | 2   | 6 | 5                                     | 4 | 6                         | 6 | 2    | 05/24/91        | France            |              |                                  |
|  |  | 5   | 8 | 0                                     | 9 | 0                         | 9 | 5    | 05/30/83        | Japan             |              |                                  |
|  |  | 2   | 6 | 0                                     | 5 | 5                         | 2 | 2    | 03/01/90        | Japan             |              |                                  |
|  |  | 1   | 1 | 9                                     | 6 | 2                         | 5 | 9    | 08/08/89        | Japan             |              |                                  |
| <b>OTHER DOCUMENTS</b> (Including Author, Title, Date, Pertinent Pages, Etc.)  |  |   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Lumonics brochure for the <u>Li</u> gthWriter® SP/SPE; two (2) pages; no publication date   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Lumonics brochure for the <u>Li</u> gthWriter® CO2; two (2) pages; no publication date  |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Lumonics brochure for the <u>La</u> serMark 960; two (2) pages; no publication date   |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Lumonics brochure for the <u>La</u> serMark BD-60 Programable Beam Delivery Unit for Large Area Marking; two (2) pages; no publication date |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Lumonics brochure for the <u>Li</u> gthWriter®; three (3) pages; no publication date  |   |                                       |   |                           |   |      |                 |                   |              |                                  |
|  |  | Spraying Systems Co.® <u>Owner's</u> Manual for Model 28JJAU-1/8-Compact AutoJet® Spray Gun; seven (7) pages; no publication date           |   |                                       |   |                           |   |      |                 |                   |              |                                  |
| EXAMINER   |  |   |   |                                       |   |                           |   |      | DATE CONSIDERED |                   |              |                                  |
| <b>*EXAMINER:</b> Initial if citation considered, <del>whether</del> or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |  |   |   |                                       |   |                           |   |      |                 |                   |              |                                  |

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